

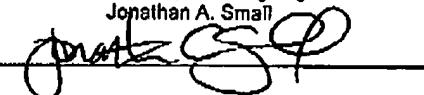
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PAGE 01/03  
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**PATENT**  
Attorney Docket No. 991104

CERTIFICATE OF FACSIMILE TRANSMISSION PURSUANT TO 37 C.F.R. 1.8  
I hereby certify that this correspondence is being transmitted by facsimile to the  
Commissioner for Patents at (571) 273-6300 on 3/13/09

Typed or printed name of person signing this certificate

Jonathan A. Small

Signature: 

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Marco Tartagni

)

Confirm. No. : 5957

Appl. No. : 10/829,403

)

Patent No.: 6,998,855

Filed: 04/20/2004

)

Issue Date: 02/14/2006

Title: Capacitive Distance Sensor

Via Facsimile – 3 pages total  
Mail Stop M Correspondence  
Director of the USPTO  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ENTITY STATUS CHANGE**

Sir:

The subject patent has been transferred from an entity which was not qualified as a Small Entity to an entity which does qualify as a Small Entity, as indicated on the attached Declaration Claiming Small Entity Status. Applicant requests that, at the Office's earliest convenience, the entity status for this application be updated so that the maintenance fees due reflect the amount for a small entity.

If the Office believes that a telephone conference would expedite this matter, please telephone the undersigned at 650-941-4470.

Respectfully submitted,



Jonathan A. Small  
Attorney for Patent Owner  
Registration No. 32,631  
Telephone: 650-941-4470

309 Second St., Suite 8  
Los Altos, CA 94022  
Date: 3/13/09

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<b>VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS</b> <small>[37 CFR 1.9(f) and 1.27(c)]</small> Small Business Concern	Attorney Docket No.: 991104	Total Pages: 2
	First Named Inventor or Application Identifier	
	Tartagni	
	Patent number: 6,998,855 Issue date: 02/14/2006	Appl. No.: 10/829,403 Filing date: 04/20/2004

I hereby declare that I, Alan Kramer, am

- the owner of the small business concern identified below:  
 an official of the small business concern and am empowered to act on behalf of the concern identified below:

Name of organization: UPEK, Inc.

Address of organization: 5900 Christie Ave., Emeryville CA 94608

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the person employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern and/or there is an obligation under contract or law by the inventor to convey rights to the small business concern with regard to the invention entitled: Capacitive Distance Sensor

by inventors: Marco Tartagni

described in

- the specification filed herewith  
 application no. \_\_\_\_\_ filed \_\_\_\_\_  
 patent no. 6,998,855 issued 02/14/2006

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

FULL NAME and ADDRESS \_\_\_\_\_ (none) \_\_\_\_\_

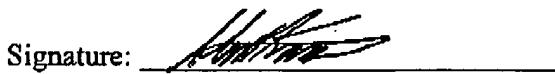
INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28 (b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and patent issuing thereon, or any patent to which this verified statement is directed.

Address correspondence or phone calls to: Jonathan A. Small  
JAS IP Consulting  
309 2<sup>nd</sup> St., Suite 8  
Los Altos, CA 94022  
650-941-4470

Name of person signing: Alan Kramer  
Title of person other than owner: Chief Executive Officer  
Address of person signing: 5900 Christie Ave.  
Emeryville, CA 94608

Signature: 

Date: 3/9/09

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities.  
(37 CFR 1.27)